

ZB# 86-19

**McGoey & Hauser
Consulting Engineers**

14-8-12

86-19- McGoe & Hauser Consulting Engineers P.C. - Area variance for parking

9
Prelim.

6/23/86.

Apps. furnished

Public

Hearing -

7/14/86.

Notice mailed
to Sentinel

6/24/86.

Copy of hist

Parking -
area variance
Granted
7/14/86

General Receipt

7781

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

June 26 19 86

Received of

M. H. G. Realty

\$ 50.00

Fifty and 00/100

DOLLARS

For

3 B.A. Application 86-19

DISTRIBUTION:

FUND	CODE	AMOUNT
\$50.00	check	
#207		

By

Pauline G. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of
MC GOEY & HAUSER CONSULTING ENGINEERS
P. C.

DECISION GRANTING
VARIANCE FOR
PARKING

#86-19.

-----X

WHEREAS, MC GOEY & HAUSER CONSULTING ENGINEERS P.C., 45 Quassaick Avenue, New Windsor, New York, 12550, having made application before the Zoning Board of Appeals for a variance for insufficient parking spaces.

WHEREAS, a public hearing was held on the 14th day of July, 1986 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the corporation was represented by William Hauser, an officer thereof; and

WHEREAS, the application was unopposed;

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a 36' x 36' addition to his engineering firm located at 45 Quassaick Avenue with less than the required parking spaces allowable in the bulk regulations for an NC zone.

3. The evidence presented by the applicant substantiated the fact that practical difficulty would be encountered if the applicant was denied the variance for parking.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted since there is no additional property which can be acquired in order to meet the bulk requirements.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood since the majority of the neighboring properties are NC in nature.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a parking variance of 11 spaces in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: August 11, 1986.


Chairman

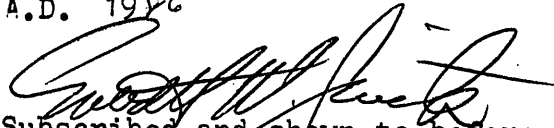
Pot

PUBLIC NOTICE OF HEARING
BEFORE ZONING BOARD
OF APPEALS
TOWN OF NEW WINDSOR
PLEASE TAKE NOTICE that
the Zoning Board of Appeals of
the TOWN OF NEW WINDSOR,
New York will hold a Public
Hearing pursuant to Section
48-34A of the Zoning Local Law
on the following proposition:
Appeal No. 19
Request of MHG Realty for a
VARIANCE of the regulations of
the Zoning Ordinance to permit
construction of 36' x 36' addition
with less than required parking
spaces being a VARIANCE of
Section 48-9, Table of Use
Regulations, NC Zone for property
situated as follows:
45 Quassaick Avenue Section
14, Block 8, Lot 12, New Windsor,
New York.
SAID HEARING will take
place on the 14th day of July, 1986
at the New Windsor Town Hall,
555 Union Avenue, New Windsor,
NY beginning at 7:30 o'clock
P.M.
Jack Babcock
Chairman
BY: Patricia Delio, Secretary

State of New York
County of Orange, ss:

Ernest W. Smith, being duly sworn
disposes and says that he is
Publisher of the E.W. Smith
Publishing Company, Inc. publisher
of The Sentinel, a weekly newspaper
published and of general circulation
in the Town of New Windsor, and that
the notice of which the annexed is
a true copy was published once

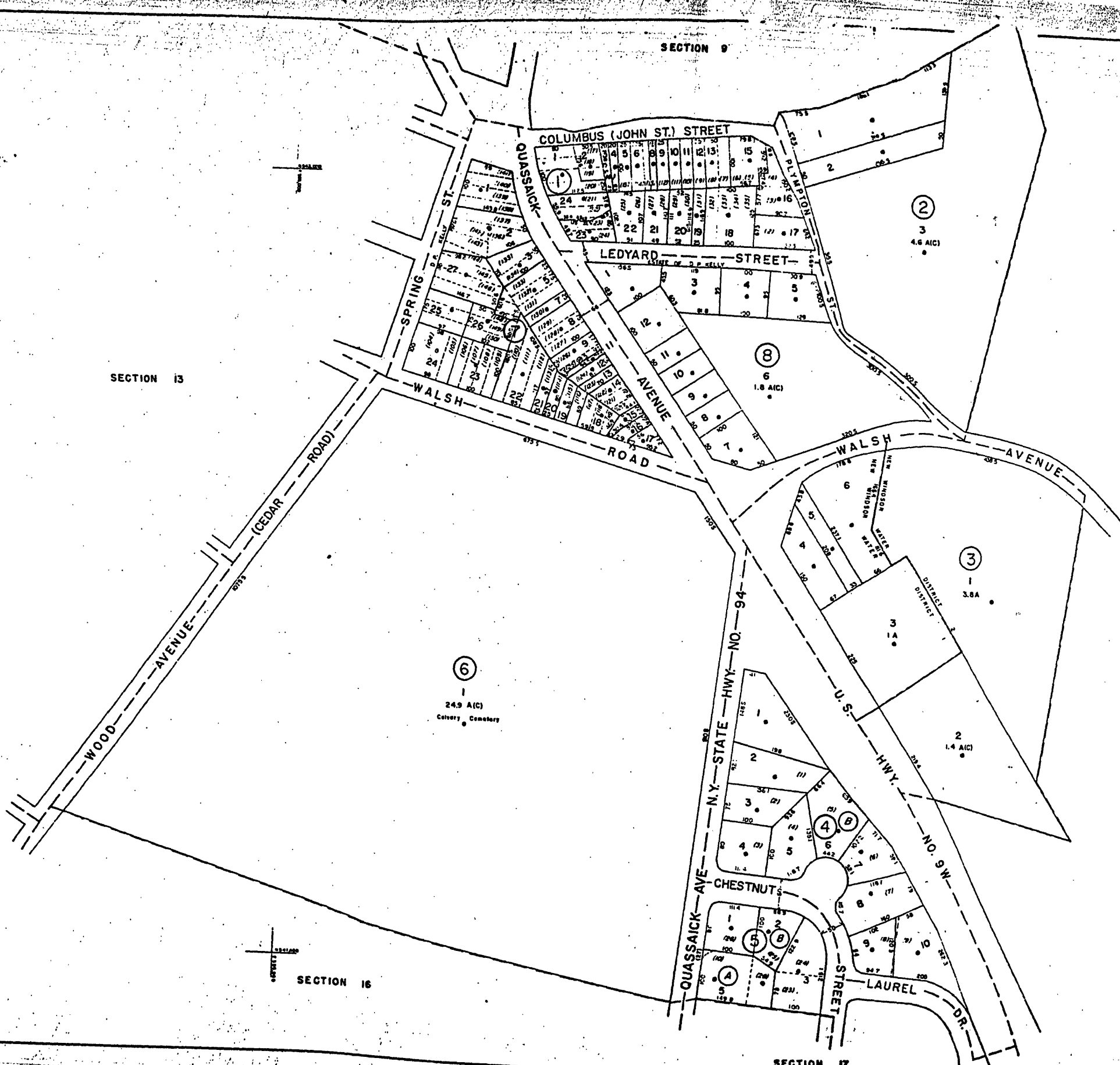
in said newspaper, commencing on
the 26th day of June A.D., 1986
and ending on the 26th day of June
A.D. 1986


Subscribed and shown to before me
this 11th day of Aug, 1986

Patricia Delio
Notary Public of the State of New York
County of Orange.

My commission expires 3/31/87.

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970775
Qualified in Orange County
Commission Expires March 30, 1987.



893

Prepared by
AERO SERVICE CORPORATION
A DIVISION OF AERIAL PHOTOGRAPHY
FOR TAX PURPOSES ONLY

LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY, TOWN OR VILLAGE LINE	SECTION LINE	TAX MAP PARCEL NO.	FILED PLAN PARCEL NO.
BLOCK & SECTION LINE	WATER LINE	AREAS	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (Feet) as (Block) No.	COUNTY HIGHWAYS
PROPERTY LINE			TOWN ROADS

ORANGE COUNTY-NEW YORK

Photo No. 14-20-31 Date of Map: 9-24-57
Date of Photo: 3-1-58 Date of Revision: 9-11-79
Scale: 1" = 100'

TOWN OF NEW WINDSOR
Section No. 14



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

file

July 15, 1986

MC GOEY & HAUSER CONSULTING ENGINEERS P.C.
45 Quassaick Avenue
New Windsor, N. Y. 12550

Attn: Mr. William Hauser

RE: APPLICATION FOR PARKING VARIANCE
#86-19

Dear Bill:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for a variance for parking. This decision was made at the July 14, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

Patricia Delio

PATRICIA DELIO
Secretary to Zoning Bd. of Appeals

/pd
cc: Town Building Inspector
Planning Board




Licensed in
New York
New Jersey
Pennsylvania

McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

This property was purchased on 30 September 1980 from E. Arthur Gray,
100 East Main Street, Port Jervis, NY by MHG Realty by Installment
Purchase Contract.



William J. Hauser, P.E.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

86-19

Date: 24 June 86

I. Applicant Information:

- (a) MHG Realty 45 Quassaick Avenue, New Windsor, NY 12550
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. Property Information:

- (a) NC 45 Quassaick Ave 14-8-12 0.23 acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1980
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A
- _____
- _____

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section NC, Table of Use Regs., Col. E.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		
Parking	14	25

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Area required for building addition is to provide sufficient area for business activities. Property and its location do not provide sufficient parking to meet ordinance. Additional parking is available in street adjoining property.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section , Table of Regs., Col. .

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	<u> </u> sq.ft.	<u> </u> sq.ft.	<u> </u> sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Additional parking is available for clients

and transient traffic on street in front of
subject project

IX. Attachments required:

- ____ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ____ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 24 June 1986

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Rick J. Eaton
Sworn to before me this

24th day of June, 1986.
#4673512 Expires 31 Oct 1988

William J. Hays
(Applicant)

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

7/14/86

Public Hearing:

Mc Goey & Hauser Consulting Eng. P.C.

Name:

Address:

Francis Rumsey Walsh Av. N. also Legat St
Victor Brocky 15 Jedyard St. N. W.

Caroline Mearns 52 Rossmore

Objections only as far as
parking on street - only.

Otherwise - no objection

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

RECEIVED

ATTORNEY'S OFFICE

TOWN OF NEW WINDSOR

JUL 11 1986

BY Patricia Delis

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 14

Request of MHG Realty

for a VARIANCE ~~SPECIAL PERMIT~~ of the regulations of the Zoning Ordinance to permit construction of 36' x 36' addition with less than required parking spaces

being a VARIANCE ~~SPECIAL PERMIT~~ of Section 48-9; Table of Use Regulations; NC Zone

for property situated as follows:

45 Quassaick Avenue - Section 14, Block 8,
Lot 12

SAID HEARING will take place on the 14th day of July, 1986, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

BOARD OF APPEALS

Jack Babcock

Chairman

WITH LESS THAN REQUIRED
PARKING SPACE THE VARIANCE
SHOULD BE DENIED.

Patricia Delis

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARING BEFORE THE ZBA - 7/14/86

DATE: July 7, 1986

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

THOMPSON, EDWARD - Area variance;

THE WINDSOR COUNSELING GROUP - Interpretation

MC GOEY & HAUSER CONSULTING ENGINEERS, P.C. -
Variance for parking

I have attached hereto copy of the pertinent applications together with public hearing notices which was published in The Sentinel.

Patricia Delio, Secretary
Zoning Board of Appeals

/pd

Attachments

Prelim.

6/23/86. (2)

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 6/9/1986

To MCGOEY AND HAUSER
RT 9W
NEW WINDSOR N.Y.

PLEASE TAKE NOTICE that your application dated, 19.....
for permit to BUILD OFFICE BUILDING
at the premises located at 9W - 45 QUASSAICK AVE

is returned herewith and disapproved on the following grounds:

ZONE NC MIN OFF-STREET PARKING
PROFESSIONAL OFFICES ONE SPACE PER
200 SQUARE FEET THEY NEED 23 SPACES
THEY HAVE 4632.00 SQ FT
THEY HAVE 14 SPACES ~~14~~
THEY NEED A VARIANCE FOR 9 SPACES

Michael Babcock
Building Inspector

Required Variance
for 9 spaces

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		

ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 6/9/ 19 86

To MCGOEY AND HAUSER
RT 9W
NEW WINDSOR N.Y.

PLEASE TAKE NOTICE that your application dated, 19.....
for permit to BUILD OFFICE BUILDING
at the premises located at 9 W - 45 QUASSAICK AVE

is returned herewith and disapproved on the following grounds:

ZONE N.C. MIN OFF - STREET PARKING
PROFESSIONAL OFFICES ONE SPACE PER
200 SQUARE FEET THEY NEED 23 SPACES
THEY HAVE 4632.00 SQ FT
THEY HAVE 14 SPACES ~~23~~
THEY NEED A VARIANCE FOR 9 SPACES

Michael Babcock
Building Inspector

Required variance
for 9 spaces

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

June 23rd

MEMORANDUM

TO: ZONING BOARD OF APPEALS
FROM: PLANNING BOARD
DATE: JUNE 4, 1986
RE: MCGOEY & HAUSER SITE PLAN

2-8640
Need more info!
June 23rd

At the May 28, 1986 meeting of the Planning Board the site plan of McGoeY & Hauser was denied. The Board recommended that they appear before the Zoning Board of Appeals.

Henry J. Reynolds
HENRY J. REYNS

*Pr 31, 30 - br. 3 ✓
son = 2 br 3*

*20 required
14 have - addition*

HJR/sh

*Pr 6.
W. -
✓ 9W -*

